

Department of Legislative Services  
Maryland General Assembly  
2018 Session

FISCAL AND POLICY NOTE  
Third Reader

House Bill 1217 (Delegate Lierman, *et al.*)

Health and Government Operations

Finance

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Local Government – Splash Pads – Regulations

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This bill authorizes the governing body of a county to adopt and enforce rules and regulations to govern the sanitary condition of “splash pads” and any sanitary feature connected to a splash pad. A “splash pad” is defined as an outdoor play area (1) with sprinklers, fountains, nozzles, or other devices or structures that spray water; (2) in which water is not allowed to accumulate; and (3) that is not used for submersion of the human body.

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Fiscal Summary

**State Effect:** None. The bill only affects local government operations.

**Local Effect:** A county can likely establish rules and regulations, as authorized under the bill, with existing resources. To the extent that local health departments (LHDs) must inspect splash pads under regulations adopted by a county, local expenditures may increase. Revenues are not affected.

**Small Business Effect:** Potential meaningful depending on the regulations adopted by a county.

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Analysis

**Current Law:** Generally, a person may not operate a public pool or spa without an annual operating permit issued by the Secretary of Health. The Secretary (or the Secretary’s designee) may enter public or private property to inspect and investigate pool conditions at a reasonable time. LHDs conduct pool inspections. The Maryland Department of Health (MDH) is in the process of updating existing regulations for pools and aquatic venues.

Under Maryland regulations, a “spray pool” is a shallow pool into which treated water is sprayed but not allowed to accumulate. Spray pools are a type of “water recreational attraction,” which can include a shallow water pool with permanently installed water play equipment, a spray pool, a tube ride, a water slide, and a wave pool. Regulations require water recreational attractions to incorporate specific design features to minimize safety hazards and allow for communication between supervisors, watchers, and lifeguards.

MDH advises that under current law “splash pads” are referred to as “spray pools” and are required to meet the requirements of public pools.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 924 (Senator Ferguson, *et al.*) - Finance.

**Information Source(s):** Maryland Association of County Health Officers; Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2018  
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